

MONDAY, APRIL 11, 2011

TWENTY-THIRD LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

PRAYER

The proceedings were opened with prayer by Pastor Joseph Cejka of Bethesda Presbyterian Church in Thompson Station, Tennessee, a guest of Senator Tracy.

PLEDGE OF ALLEGIANCE

Senator Tracy led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 30

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

COMMUNICATIONS

April 7, 2011

Lt. Governor Ron Ramsey
One Legislative Plaza
Nashville, TN 37243

Dear Mr. Speaker:

I respectfully request to be excused from the Senate Session on Monday, April 11, and likewise from committee meetings on Tuesday, April 12, in order to travel to Jefferson City, Missouri to visit a session of their House of Representatives and to meet with fellow legislators in accordance with my duties as Chairman of the Southern Legislative Conference. Thank you for your consideration of this request.

Sincerely,

/s/ Mark Norris
Senator

APPROVED: Lieutenant Governor
Ron Ramsey

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April 11, 2011

The Honorable Ron Ramsey
Lieutenant Governor
State of Tennessee General Assembly
1 Legislative Plaza
Nashville, Tennessee 37243

Dear Governor Ramsey:

Due to the death of my mother over the weekend, I will not be attending the Senate floor Session on Monday, April 11, 2011.

Thank you for your attention to this matter.

Sincerely,

/s/ Jack Johnson

APPROVED: Lieutenant Governor
Ron Ramsey

April 11, 2011

Lt. Governor Ron Ramsey
1 Legislative Plaza
Nashville, Tennessee 37243

Dear Lt. Governor Ramsey:

I will not be able to attend Session tonight due to an upper respiratory illness. Please excuse my absence.

Thank you,

/s/ Jim Summerville
State Senator

APPROVED: Lieutenant Governor
Ron Ramsey

REFERRAL OF BILL

Mr. Speaker Ramsey announced he had referred the following Senate Bill to the Committee on Delayed Bills: **Senate Bill No. 2106**.

MOTION

Senator Ketron moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 166, 212, 368, 676, 761, 829, 1117, 1119 and 1127** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 166 -- Tennessee Regulatory Authority -- As introduced, clarifies that only cooperative organizations, cooperative associations or cooperative corporations not organized or doing business for profit are exempt from regulation by TRA. Amends TCA Title 65, Chapter 4.

House Bill No. 212 -- Motor Vehicles -- As introduced, requires animals be restrained while in the interior of a motor vehicle in motion. Amends TCA Title 55, Chapter 8, Part 2.

House Bill No. 368 -- Teachers, Principals and School Personnel -- As introduced, protects a teacher from discipline for teaching scientific subjects in an objective manner. Amends TCA Title 49, Chapter 6, Part 10.

House Bill No. 676 -- Sunset Laws -- As introduced, extends the medical care and cost containment committee, June 30, 2015. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 6, Part 1.

House Bill No. 761 -- Insurance, Health, Accident -- As introduced, mandates that group and individual insurance policies cover hearing aids for dependent children. Amends TCA Title 56.

House Bill No. 829 -- Hospitals and Health Care Facilities -- As introduced, requires hospitals to have certain persons authenticate verbal orders. Amends TCA Title 68, Chapter 11, Part 3.

House Bill No. 1117 -- Election Laws -- As introduced, adds to current list of persons committing felonies or sexual offenses who are never eligible to register to vote, a violation containing the same elements and designated as a felony in any other state or federal court. Amends TCA Section 40-29-204.

House Bill No. 1119 -- Election Laws -- As introduced, clarifies necessity, requirement and statutory responsibility of the county to fund all County Election Commission expenses including compensation of its employees and election officials, expenses incurred in holding elections, and all fees incurred due to the filing or defense of a lawsuit. Amends TCA Section 2-12-109.

House Bill No. 1127 -- Telecommunications -- As introduced, adds state government telephone subscribers to do not call registry. Amends TCA Title 65, Chapter 4, Part 4.

MOTION

Senator Ketron moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 2095, 2096 and 2102 through 2105** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

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Senate Bill No. 2095 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2096 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 2102 Local bill -- held on desk.

Senate Bill No. 2103 Local bill -- held on desk.

Senate Bill No. 2104 Local bill -- held on desk.

Senate Bill No. 2105 Local bill -- held on desk.

MOTION

Senator Ketron moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 183 through 190** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 183 by Senator Norris.

Constitutional Amendments -- Proposes an amendment to Section 3 of Article VI of the Tennessee Constitution to unequivocally authorize the general assembly, by statute, to establish a system of merit-based appointments with retention elections for appellate court judges.

Senate Joint Resolution No. 184 by Senator Beavers.

Memorials, Academic Achievement -- Wes Grace, 2011 Salutatorian at Red Boiling Springs High School.

Senate Joint Resolution No. 185 by Senator Beavers.

Memorials, Academic Achievement -- Dillon Reed, Valedictorian, Gordonsville High School.

Senate Joint Resolution No. 186 by Senator Beavers.

Memorials, Academic Achievement -- Heather Jenkins, 2011 Valedictorian at Red Boiling Springs High School.

Senate Joint Resolution No. 187 by Senator Beavers.

Memorials, Academic Achievement -- Ashley Nastasia Allred, Valedictorian, Clay County High School.

Senate Joint Resolution No. 188 by Senator Beavers.

Memorials, Academic Achievement -- Parker Jordan Grace, 2011 Valedictorian at Red Boiling Springs High School.

Senate Joint Resolution No. 189 by Senator Beavers.

Memorials, Academic Achievement -- Jessica Blackburn, Salutatorian, Gordonsville High School.

Senate Joint Resolution No. 190 by Senator Beavers.

Memorials, Academic Achievement -- Larissa Rich, Salutatorian, Clay County High School.

MOTION

Senator Ketron moved, pursuant to Rule 21, **House Joint Resolutions Nos. 201, 203 and 226**; and **Senate Joint Resolutions Nos. 174 and 177 through 180** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 201 -- Memorials, Recognition -- John P. Franklin, Sr., Chattanooga's Pioneer Leader.

The Speaker announced that he had referred House Joint Resolution No. 201 to the Committee on Calendar.

House Joint Resolution No. 203 -- Memorials, Death -- Diane C. Hopkins.

The Speaker announced that he had referred House Joint Resolution No. 203 to the Committee on Calendar.

House Joint Resolution No. 226 -- Memorials, Recognition -- Deanie Parker, an honoree at the Fifth Annual African American Legacy Awards.

The Speaker announced that he had referred House Joint Resolution No. 226 to the Committee on Calendar.

Senate Joint Resolution No. 174 -- Memorials, Death -- J. Don Hill.

The Speaker announced that he had referred Senate Joint Resolution No. 174 to the Committee on Calendar.

Senate Joint Resolution No. 177 -- Memorials, Public Service -- Doug Jackson.

The Speaker announced that he had referred Senate Joint Resolution No. 177 to the Committee on Calendar.

Senate Joint Resolution No. 178 -- General Assembly, Statement of Intent or Position -- Relative to the release of water into the Ocoee and Caney Fork Rivers by the Tennessee Valley Authority.

The Speaker announced that he had referred Senate Joint Resolution No. 178 to the Committee on Environment, Conservation and Tourism.

Senate Joint Resolution No. 179 -- Memorials, Professional Achievement -- Ashley Kear, Milken Educator Award 2010.

The Speaker announced that he had referred Senate Joint Resolution No. 179 to the Committee on Calendar.

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Senate Joint Resolution No. 180 -- Memorials, Sports -- Craigmont High School, 2011 TSSAA Class AAA Boys' Basketball Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 180 to the Committee on Calendar.

NOTICE

MESSAGE FROM THE HOUSE

April 7, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 207, substituted for House Bill on same subject, amended, and passed by the House.

JOE MCCORD,
Chief Clerk.

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 168 -- Memorials, Professional Achievement -- Al Bell, 2011 Grammy Trustee Award.

Senate Joint Resolution No. 170 -- Memorials, Death -- Mickey Ronald Carpenter.

Senate Joint Resolution No. 171 -- Memorials, Death -- Mike Barnett.

Senate Joint Resolution No. 172 -- Memorials, Death -- Billy F. Featherstone.

Senate Joint Resolution No. 173 -- Memorials, Death -- Mickey Moore.

House Joint Resolution No. 189 -- Memorials, Recognition -- National Exchange Club, 100th anniversary.

House Joint Resolution No. 193 -- Memorials, Recognition -- 2011 World's Biggest Fish Fry, Hostess Princess and Court.

House Joint Resolution No. 195 -- Memorials, Personal Occasion -- Mr. and Mrs. Jackie Taylor, 50th anniversary.

House Joint Resolution No. 196 -- Memorials, Recognition -- Dr. Lisa Akbari.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 27
Noes 0

Senators voting aye were: Barnes, Beavers, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

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A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bill was placed at the heel of the calendar for Thursday, April 14, 2011, pursuant to Rule 38: **Senate Bill No. 1171**.

Senate Bill No. 307 -- Game and Fish Laws -- As introduced, deletes wild hog from definition of "big game" and removes permitting requirements for hunting wild boars and wild hogs. Amends TCA Title 70.

Senate Bill No. 349 -- Clerks, Court -- As introduced, requires clerk to accept cost bond signed by attorney in lieu of party paying fees or clerk must forfeit all costs. Amends TCA Title 8, Chapter 21, Part 4 and Title 25, Chapter 1, Part 1.

Senate Bill No. 1008 -- Pensions and Retirement Benefits -- As introduced, revises various provisions governing the Tennessee consolidated retirement system; requires that counsel for Treasury Department serve as attorney for the chair of TCRS and treasury with regard to deferred or tax-sheltered compensation plans. Amends TCA Section 8-24-104(c); Title 8, Chapter 25, Part 1; Section 8-25-111; Title 8, Chapter 25, Part 3; Title 8, Chapter 34, Part 2; Section 8-34-203; Section 8-34-302(a)(6); Section 8-34-319; Section 8-34-321; Title 8, Chapter 35, Part 2; Section 8-35-201(d); Section 8-35-218(a); Section 8-36-208(b) and Section 8-36-212.

Senate Bill No. 1287 -- Dentists and Dentistry -- As introduced, specifies that dental hygienists are authorized to perform stain removal on teeth in addition to performing those tasks that they are authorized to perform under present law. Amends TCA Section 63-5-108.

On motion, Senate Bill No. 1287 was made to conform with **House Bill No. 1354**.

On motion, House Bill No. 1354, on same subject, was substituted for Senate Bill No. 1287.

Senate Bill No. 1295 -- Motor Vehicles, Titling and Registration -- As introduced, exempts antique vehicles being registered for antique motor vehicle license plates from emissions testing requirement imposed in certain counties for motor vehicle registration. Amends TCA Title 55, Chapter 4; Title 55, Chapter 6 and Title 68, Chapter 201.

On motion, Senate Bill No. 1295 was made to conform with **House Bill No. 688**.

On motion, House Bill No. 688, on same subject, was substituted for Senate Bill No. 1295.

Senator Faulk moved that all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

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A motion to reconsider was tabled.

CALENDAR

House Bill No. 1189 -- Insurance Companies, Agents, Brokers, Policies -- As introduced, declares the statutory remedies and sanctions that apply to specified acts by an insurer, person, or entity required to be licensed, permitted, or authorized by the division of insurance under Title 56. Amends TCA Title 56, Chapter 8, Part 1.

Senator Ford declared Rule 13 on **House Bill No. 1189**.

Senator Tracy declared Rule 13 on **House Bill No. 1189**.

Senator Ketron declared Rule 13 on **House Bill No. 1189**.

Senator Stewart declared Rule 13 on **House Bill No. 1189**.

Senator Finney declared Rule 13 on **House Bill No. 1189**.

Senator Overbey declared Rule 13 on **House Bill No. 1189**.

On motion of Senator Faulk, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1189** passed its third and final consideration by the following vote:

Ayes	21
Noes	7
Present, not voting . . .	1

Senators voting aye were: Beavers, Bell, Burks, Campfield, Crowe, Faulk, Gresham, Henry, Kelsey, Ketron, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--21.

Senators voting no were: Barnes, Berke, Finney, Ford, Haynes, Herron and Marrero--7.

Senator present and not voting was: Harper--1.

A motion to reconsider was tabled.

PRESENTATION

Senator Tate introduced Mr. Kirk Whalum and Ms. Deanie Parker to the Senate.

CALENDAR

Senator Beavers moved that **Senate Joint Resolution No. 127** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

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Senate Bill No. 134 -- Motor Vehicles -- As introduced, extends pilot program for certain municipalities to allow golf carts on certain public roads until July 1, 2013; includes Eagleville in the pilot program. Amends TCA Title 55, Chapter 8, Part 2.

On motion, Senate Bill No. 134 was made to conform with **House Bill No. 129**.

On motion, House Bill No. 129, on same subject, was substituted for Senate Bill No. 134.

On motion of Senator Tracy, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 129** passed its third and final consideration by the following vote:

Ayes	27
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--27.

A motion to reconsider was tabled.

Senator Burks moved that **Senate Bill No. 396** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senate Bill No. 655 -- Law Enforcement -- As introduced, establishes the Blue Alert system to provide rapid dissemination of information to aid in detection of persons when law enforcement officer is killed, injured or suspiciously missing in line of duty. Amends TCA Title 38, Chapter 6, Part 1.

Senator Beavers moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting in Section 1 the amendatory language in subsection (e) "TBI shall use" in its entirety and by substituting instead the language "TBI may use".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 655**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

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Senate Bill No. 730 -- Alcoholic Beverages -- As introduced, permits unincorporated areas in Shelby County to sell alcoholic beverages. Amends TCA Title 57.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 of the bill and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-107, is amended by deleting the language "if the referendum was limited to residents in the unincorporated areas of the county".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 730**, as amended, passed its third and final consideration by the following vote:

Ayes	19
Noes	7
Present, not voting . . .	2

Senators voting aye were: Barnes, Berke, Crowe, Faulk, Ford, Gresham, Harper, Haynes, Henry, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Tate, Woodson, Yager and Mr. Speaker Ramsey--19.

Senators voting no were: Beavers, Bell, Burks, Campfield, Herron, Roberts and Southerland --7.

Senators present and not voting were: Finney and Watson--2.

A motion to reconsider was tabled.

Senator Marrero moved that **Senate Bill No. 767** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 828** be placed on the Calendar for Thursday, April 14, 2011, which motion prevailed.

Senate Bill No. 836 -- Game and Fish Laws -- As introduced, changes element of offense of using spotlight to locate deer to require that the light be used with the intent to hunt deer rather than the light be used in an apparent attempt or with the intent to locate deer. Amends TCA Title 70, Chapter 4, Part 1.

Senator Southerland moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 70-4-110, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)(1) It is unlawful for any person, or one (1) or more of a group of persons together, to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light from any motor vehicle or vessel or with the aid of any motor vehicle or vessel, on or from any highway, or in any field, woodland, or forest, or the waters of the state, in an apparent attempt or intent to locate deer by the use of such light, unless such person or persons direct such light onto property owned by such person or one of the persons involved, or such person or group of persons has written permission from the landowner to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light onto the property of the landowner. Such written permission must be in immediate possession at all times and the individual shall display same upon demand of law enforcement.

(2) Notwithstanding subdivision (a)(1), it is unlawful to willfully throw or cast, or cause to be thrown or cast, the rays of a spotlight, headlight, or other artificial light from any motor vehicle or vessel or with the aid of any motor vehicle or vessel, at any time from or on any public roadway.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 836**, as amended, passed its third and final consideration by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

Senate Bill No. 923 -- Election Laws -- As introduced, lowers the early voting period to seven days instead of five prior to an election and, except for years in which a presidential election is held, lessens the total number of days to not more than 10 nor less than seven days for counties having a population of 20,500 or less. Amends TCA Title 2, Chapter 6.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language following the enacting clause and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 2-6-102(a)(1), is amended by deleting the language "five (5) days" and substituting instead the language "seven (7) days".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Beavers moved that **Senate Bill No. 923** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 1031** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Ketron moved that **Senate Bill No. 1032** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Yager moved that **Senate Bill No. 1255** be placed on the Calendar for Thursday, April 14, 2011, which motion prevailed.

Senator Faulk moved that **Senate Bill No. 1538** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Yager moved that **Senate Joint Resolution No. 86** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Finney moved that **Senate Bill No. 829** be placed on the Calendar for Monday, April 18, 2011, which motion prevailed.

Senator Watson moved that **Senate Bill No. 1541** be placed on the Calendar for Thursday, April 14, 2011, which motion prevailed.

MOTION

Senator Tracy moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 205**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 205 -- Memorials, Professional Achievement -- Dr. Robert R. Garrigus, Dr. Robert R. Garrigus Scholarship Endowment Fund.

On motion of Senator Tracy, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 205** was concurred in.

A motion to reconsider was tabled.

MOTION

Senator Bell moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 230**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 230 -- Memorials, Professional Achievement -- Charles Towler, recipient of the Tennessee Folklife Heritage Award.

On motion of Senator Bell, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 230** was concurred in.

A motion to reconsider was tabled.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 461 -- Annexation -- As introduced, requires annexing municipality to record adopted or approved annexation ordinance or resolution with register of deeds in counties where annexation adopted or approved; copy to be sent to the comptroller and assessor of property for each affected county. Amends TCA Title 6, Chapter 51, Part 1.

HOUSE AMENDMENT NO. 1

AMEND by deleting the effective date section and by substituting instead the following:

SECTION _____. This act shall take effect upon becoming law, the public welfare requiring it.

Senator Yager moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 461**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

MOTION

Senator Southerland moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 178** on the calendar for the Committee on Environment, Conservation and Tourism for Wednesday, April 13, 2011, which motion prevailed.

MOTION

Senator Tate moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 226**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 226 -- Memorials, Recognition -- Deanie Parker, an honoree at the Fifth Annual African American Legacy Awards.

On motion of Senator Tate, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 226** was concurred in.

A motion to reconsider was tabled.

MOTION

Senator Burks moved that Rules 32 and 33 be suspended for the immediate introduction and referral of **Senate Joint Resolution No. 192**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 192 by Senator Burks.
Naming and Designating -- "National Crime Victims' Rights Week", April 10-16, 2011.

MOTION

Senator Burks moved that Rule 83(8) be suspended for the purpose of placing **Senate Joint Resolution No. 192** on the calendar for the Committee on State and Local Government for Tuesday, April 12, 2011, which motion prevailed.

MOTION

On motion of Senator Finney, his name was added as sponsor of **Senate Bills Nos. 270, 1547 and 1549; Senate Joint Resolution No. 172; and House Joint Resolution No. 195.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Bills Nos. 396 and 1325.**

On motion of Senator Campfield, his name was added as sponsor of **Senate Bill No. 485.**

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 655, 730 and 767.**

On motion of Senators Ketron, Roberts and Marrero, their names were added as sponsors of **Senate Bill No. 1171.**

On motion of Senator Southerland, his name was added as prime sponsor of **Senate Bill No. 1239.**

On motion of Senator Yager, his name was removed as sponsor of **Senate Bill No. 1239.**

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On motion of Senators Tracy, Bell, Southerland and Campfield, their names were added as sponsors of **Senate Bill No. 1258**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 1329**.

On motion of Senator Ketron, his name was added as prime sponsor of **Senate Bill No. 1666**.

On motion of Senator Tracy, his name was removed as sponsor of **Senate Bill No. 1666**.

On motion of Senators Marrero, Harper, Ford and Kyle, their names were added as sponsors of **Senate Joint Resolution No. 168**.

On motion of Senator Kyle, his name was added as sponsor of **Senate Joint Resolution No. 173**.

On motion of Senators Tracy, Harper and Ketron, their names were added as sponsors of **House Joint Resolution No. 189**.

On motion of Senators Herron and Kyle, their names were added as sponsors of **House Joint Resolution No. 193**.

On motion of Senators Marrero, Ford and Kyle, their names were added as sponsors of **House Joint Resolution No. 196**.

On motion of Senators Tracy and Ketron, their names were added as sponsors of **House Joint Resolution No. 205**.

On motion of Senators Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Kelsey, Ketron, Kyle, Marrero, McNally, Overbey, Roberts, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey, their name were added as sponsors of **House Joint Resolution No. 226**.

ENGROSSED BILLS

April 11, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 307, 349, 655, 730, 836 and 1008; and Senate Joint Resolutions Nos. 168, 170, 171, 172 and 173; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 198, 208, 219, 533, 731, 1154, 1644, 1755, 2125, 2128, 2129 and 2140; passed by the House.

JOE MCCORD,
Chief Clerk.

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MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 151, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 220, 222, 223, 224, 228 and 229; adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 205, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 230, adopted, for the Senate's action.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 135, 684, 799, 1341, 1347, 1789 and 1874; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 922, 1172 and 1520; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 355, 510, 1013, 1193 and 1119; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,
Chief Clerk.

MONDAY, APRIL 11, 2011 -- 23RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 158, 159, 160, 161, 162, 163, 164, 166, 167, 176 and 182; concurred in by the House.

JOE MCCORD,
Chief Clerk.

ENROLLED BILLS

April 12, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Bills Nos. 135, 355, 461, 510, 684, 799, 922, 1013, 1119, 1172, 1193, 1341, 1347, 1520, 1789 and 1874; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 12, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolution No. 131, and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

ENROLLED BILLS

April 12, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 158, 159, 160, 161, 162, 163, 164, 166, 167, 176 and 182; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 302, 550, 551 and 575; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

MONDAY, APRIL 11, 2011 -- 23RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 129, 688, 884, 1189, 1265 and 1354; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 189, 193, 195, 196, 205, 226 and 230; for the signature of the Speaker.

JOE MCCORD,
Chief Clerk.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: Senate Bills Nos. 78, 289, 930 and 1451.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: Senate Bills Nos. 135, 355, 461, 510, 684, 799, 922, 1013, 1119, 1172, 1193, 1341, 1347, 1520, 1789 and 1874.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: Senate Joint Resolution No. 131.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 158, 159, 160, 161, 162, 163, 164, 166, 167, 176 and 182.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: House Bills Nos. 302, 550, 551 and 575.

SIGNED

April 12, 2011

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 189, 193, 195, 196, 205, 226 and 230.

MONDAY, APRIL 11, 2011 -- 23RD LEGISLATIVE DAY

MESSAGE FROM THE HOUSE

April 11, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 83, 495, 742, 777, 892, 1154, 1155, 1227, 1312, 1537, 1544 and 1668; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 78, 289, 930 and 1451; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 135, 355, 461, 510, 684, 799, 922, 1013, 1119, 1172, 1193, 1341, 1347, 1520, 1789 and 1874; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 131, signed by the Speaker.

JOE MCCORD,
Chief Clerk.

MESSAGE FROM THE HOUSE

April 12, 2011

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 158, 159, 160, 161, 162, 163, 164, 166, 167, 176 and 182; signed by the Speaker.

JOE MCCORD,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 11, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 83, 495, 742, 777, 892, 1154, 1155, 1227, 1312, 1537, 1544 and 1668; for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MONDAY, APRIL 11, 2011 -- 23RD LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

April 12, 2011

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 1520; and Senate Joint Resolution No. 131 for his action.

M. SCOTT SLOAN,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 11, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 57, 98, 106, 264, 513, 538 and 861; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 12, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bills Nos. 484, 598, 877 and 1569; with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

April 12, 2011

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 1528, with his approval.

HERBERT H. SLATERY III,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 14, 2011: Senate Joint Resolutions Nos. 174, 177, 179 and 180; and House Joint Resolutions Nos. 201 and 203.

This the 12th day of April, 2011.
MIKE FAULK, Chairperson.

MONDAY, APRIL 11, 2011 -- 23RD LEGISLATIVE DAY

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 14, 2011: Senate Bill No. 1361.

This the 12th day of April, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, April 14, 2011: Senate Bills Nos. 552, 2083, 2084, 2086, 2087, 2088 and 2101.

This the 12th day of April, 2011.
MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 14, 2011: Senate Bills Nos. 828, 935, 1171, 1255 and 1541; and Senate Joint Resolution No. 111.

This the 12th day of April, 2011.
MIKE FAULK, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
SENATE MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bills and they have been set on the Message Calendar for Thursday, April 14, 2011: Senate Bill No. 207.

This the 12th day of April, 2011
MIKE FAULK, Chairperson.

ADJOURNMENT

Senator Ketron moved the Senate adjourn until 9:30 a.m., Thursday, April 14, 2011, which motion prevailed.